

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

NEW PRIORITY DATE:

Date of filing in State Engineer's Office. ~~-OCT-18-1994-~~ APR 4 2006

Returned to applicant for correction. DEC 20 1994

Corrected application filed. DEC 28 1994 Map filed DEC 28 1994 under 60582

The applicant. James R. Buell, VMD

P.O. BOX 6525 of Incline Village
Street and No. or P.O. Box No. City or Town

NV 89450 hereby make. Application for permission to change the
State and Zip Code No.

point of diversion, place of use, and manner of use of a portion
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under. Permit 39073, Certificate 11178
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.

1. The source of water is. underground
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed. 667 c.f.s.
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for. irrigation
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for. irrigation
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point. within the NE1 SW1 of Section 25, T. 45N.,
Describe as being within a 40-acre subdivision of public survey and by course and

R. 33E. M.D.B. & M. or at a point from which the W1 corner of said Section 25
distance to a section corner. If on unsurveyed land, it should be stated.

bears N 86°45' W a distance of 2532.0 feet.

6. The existing permitted point of diversion is located within. the SE1 NW1 of Section 7, T. 45N.,
If point of diversion is not changed, do not answer.

R. 34E., M.D.B. & M. or at a point from which the NE corner of said Section 7

bears N 45°30'50" E a distance of 3870.33 feet.

190.50 acres to be irrigated. See attachment.

7. Proposed place of use.
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

See attached

8. Existing place of use.
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or

manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from. January 1 to December 31 of each year.
Month and Day Month and Day

10. Use was permitted from. March 1 to December 31 of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) drilled well, pipeline, and irrigation
State manner in which water is to be diverted, i.e. diversion structure.

system
ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works. in excess of \$50,000

13. Estimated time required to construct works. three (3) years

14. Estimated time required to complete the application of water to beneficial use..... five (5) years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

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Desert Mountain Surveying as agent
 by John H. Milton III, PLS, SWRS
 By s/John H. Milton III
 146 West Second Street
 Winnemucca, NV 89445

Compared pm/ jv jr/bk

Protested.....

APPROVAL

.....OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place of use and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 39073, Certificate 11178 is issued subject to the terms and conditions imposed in said Permit 39073, Certificate 11178 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permits 60582 and 60583 shall not exceed 568.72 acre-feet seasonally.

(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.6704 cubic feet per second, but not to exceed 284.36 acre-feet seasonally, and not to exceed a seasonal duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before..... August 23, 1997

Proof of completion of work shall be filed before..... September 23, 1997

Application of water to beneficial use shall be made on or before..... August 23, 2000

Proof of the application of water to beneficial use shall be filed on or before..... September 23, 2000

Map in support of proof of beneficial use shall be filed on or before..... September 23, 2000

Completion of work filed.....

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No. Issued.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
 State Engineer of Nevada, have hereunto set my hand and the seal of my
 office, this 23rd day of August,

A.D. 19 95

[Signature]
 State Engineer

CANCELLED FEB 24 2006
BECAUSE OF FAILURE
OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

[Signature]
Can. Rescinded 9-8-06
STATE ENGINEER

(PERMIT TERMS CONTINUED)

Permits 60582 and 60583 are limited to the irrigation of 190.5 acres within the described place of use.

Attachment
Application 60583

Item 7.

Within the S½ S½ & the NE¼ SE¼ of Section 23; the S½, the S½ NW¼ & the SW¼ NE¼ of Section 24; all of Section 25; the N½ & the N½ S½ of Section 26; all within T.45N., R.33E., M.D.B. & M.; also the SW¼ SW¼ of Section 19; the W½ & the SE¼ of Section 30; all within T.45N., R.34E., M.D.B. & M. - not to exceed 2053.10 acres.

ITEM : 8

8. Existing place of use.	34.10 acres in the NW¼ SW¼ of Section 7, T.45N., R.34E., M.D.B. & M.
	Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of
	39.54 acres in the NE¼ SW¼ of Section 7, T.45N., R.34E., M.D.B. & M.
	use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.
	33.90 acres in the SW¼ SW¼ of Section 7, T.45N., R.34E., M.D.B. & M.
	39.18 acres in the SE¼ SW¼ of Section 7, T.45N., R.34E., M.D.B. & M.
	21.89 acres in the NW¼ SE¼ of Section 7, T.45N., R.34E., M.D.B. & M.
	21.89 acres in the SW¼ SE¼ of Section 7, T.45N., R.34E., M.D.B. & M.
	190.50 total acres to be removed